



**CITY COUNCIL MEETING OF MARCH 3, 2015  
UNOFFICIAL PRIOR TO CITY COUNCIL APPROVAL  
APPROVED BY THE CITY COUNCIL ON  
\_\_\_\_\_AS WRITTEN.**

**CALL TO ORDER:**

6:00 P.M.

- A** Mayor A. George Pradel  
Councilwoman Judy Brodhead  
Councilman Steve Chirico  
Councilman Robert Fieseler  
Councilman Paul Hinterlong  
Councilman Doug Krause  
Councilman Joe McElroy  
Councilman Tom Miers  
Councilman David Wentz

Absent

Also Present

City Manager, Doug Krieger  
Deputy City Manager, Marcie Schatz  
Asst. to the City Manager, Amy Emery-Graunke  
Legal Director, Jill Pelka-Wilger  
Prosecuting Attorney, Mike DiSanto  
City Clerk, Pam LaFeber  
Communications Manager, Linda LaCloche  
Deputy Chief, Brain Cunningham  
Fire Chief, Mark Puknaitis  
Director of Finance, Rachel Mayer  
Director of Human Resources, James Sheehan  
Director of T.E.D., Bill Novack  
T.E.D. Operations Manager, Allison Laff  
Transportation Team Leader, Jennifer Louden  
Director of Public Works, Dick Dublinski  
Director of Public Utilities-Water, Jim Holzapfel  
Director of Public Utilities-Electric, Mark Curran

Press

Chicago Sun Times, Daily Herald, Naperville Sun

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**B CLOSED SESSION:**

Chirico moved to recess to Closed Session to discuss **5 ILCS 120/2(c)(1)** The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body; **(6)** Setting of a price for sale or lease of property owned by the public body; **(21)** Discussion of minutes of meetings lawfully closed under this Act, whether for the purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06. Second, Krause.

**ROLL CALL:**

**Ayes:** Pradel, Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy, Miers, Wentz

**Nays:** None  
Motion declared carried.

**THE MEETING RECESSED TO CLOSED SESSION AT 6:05 P.M.  
CLOSED SESSION ADJOURNED AT 6:51 P.M.**

**OPEN SESSION:**

Mayor Pradel called the meeting back to order at 7:00 p.m.

**ROLL CALL to determine Quorum:**

**Present:** Pradel, Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy, Miers, Wentz

**Absent:** None

**C PLEDGE TO THE FLAG:**

PLEDGE GIVEN

**D AWARDS AND RECOGNITIONS:**

**D1** Puknaitis introduced Fire Chief Toma Hurtado who accepted a retired Naperville ladder truck on behalf of the citizens of Cancun, Mexico.

**D2** Councilman Fieseler recognized the team from Neuqua Valley High School as the winner of Mission 60564 and proclaimed the week of March 2, 2015 as Mission 60564 Week.

Ari Rosenthal, District 204, thanked the Council and community leaders for their support of Mission 60564.

**E PUBLIC FORUM:**

**E1** Basement Sewer Back-ups

Dale Bryson – Naperville, reviewed the meetings he has had with staff to address back-up issues, and discussed the city’s aging infrastructure, and the benefits of the Capacity, Management, Operation, and Maintenance (CMOM) Program.

Basement Sewer Back-ups

Rob Neufelder – Naperville, urged Council to hire an outside firm to determine possible solutions and strategically plan for remediation.

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**E1**      Basement Sewer Back-ups **Continued**

Council discussed that this will become an issue for neighborhoods throughout the city, the appropriateness of lining sewers versus rebuilding, the constant need to cycle improvements, upcoming Capital Improvement Plan (CIP) projects, re-permitting treatment plants, and rebuilding options available.

Holzapfel stated that lining is industry best practice and discussed infiltration migration, the current backflow prevention program, and improvements that have been made since the April 2013 flood. He said that the emergency outlet is the DuPage River, that it has been sanctioned by the EPA and is not a preferred option, that an independent review was done by a water/wastewater engineering consultant and the findings were that the system is at capacity because of groundwater inflow. He concluded by stating that the U.S. EPA reviewed and approved City's CMOM program.

DuPage Water Commission

Dick Furstenau, reported on the budgeting process, debt payment, and water rate estimate.

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**BREAK:      8:06 P.M.**

**Mayor Pradel called the meeting back to order at 8:15 p.m.**

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**F            HOLDOVER ITEMS:**

**G            PETITIONS AND COMMUNICATIONS TO THE COUNCIL:**

**H            CONSIDERATION OF MOTION TO USE OMNIBUS METHOD  
FOR REMAINING ITEMS:**

Krause moved to use the Omnibus method to approve the Consent Agenda.  
Second, Chirico.

**VOICE VOTE:**      Motion declared carried.

**I            CONSENT AGENDA:**

Krause moved to approve the Consent Agenda items. Second, Chirico.

**ROLL CALL:**

**Ayes:**    Pradel, Brodhead, Chirico, Fieseler, Hinterlong, Krause, McElroy,  
             Miers, Wentz

**Nays:**    None  
             Motion declared carried.

**I1          Cash Disbursements 2/5/15**

Council moved to approve the 2/5/15 cash disbursements in the amount of \$2,204,579.76.

CASH DISBURSEMENTS –  
2/5/15

**I2          Cash Disbursements – 2/11/15**

Council moved to approve the 2/11/15 cash disbursements in the amount of \$2,729,823.39.

CASH DISBURSEMENTS –  
2/11/15

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| <b>I3</b>  | <u>Cash Disbursements – 2/18/15</u><br>Council moved to approve the 2/18/15 cash disbursements in the amount of \$2,042,941.23.   | CASH DISBURSEMENTS –<br>2/18/15   |
| <b>I4</b>  | <u>Cash Disbursements – 2/19/15</u><br>Council moved to approve the 2/19/15 cash disbursements in the amount of \$2,228,123.67.   | CASH DISBURSEMENTS –<br>2/19/15   |
| <b>I5</b>  | <u>Contract 14-190, Pavement Marking</u><br>Council moved to approve the award of option year one to Contract 14-190, pavement marking, to Precision Pavement Marking for an amount not to exceed \$105,000.00.   | CONTRACT 14-190,<br>PAVEMENT MARKING                                      |
| <b>I6</b>  | <u>Contract 13-076, Landscape Maintenance</u><br>Council moved to approve the award of option year one to Contract 13-076, landscape maintenance to Twin Oaks Landscaping for specialty city sites, for an amount not to exceed \$180,850.00 and for the Naper Settlement site for an amount not to exceed \$24,780.00 for a total award of \$205,630.00. | CONTRACT 13-076,<br>LANDSCAPE<br>MAINTENANCE                              |
| <b>I7</b>  | <u>Procurement 15-176, Cardiac Monitors</u><br>Council moved to approve the award of Procurement 15-176, cardiac monitors to Zoll Medical Corporation through the approved cooperative, North Central EMS Cooperative (NCEMSC), for an amount not to exceed \$295,596.00.   | PROCUREMENT 15-176,<br>CARDIAC MONITORS                                   |
| <b>I8</b>  | <u>Procurement 15-184, Cab and Chassis, Dump Body with Plow</u><br>Council moved to approve the award of Procurement 15-184, one (1) cab and chassis, dump body with plow, to National Automotive Fleet Group thru a cooperative contract with National Joint Powers Alliance (NJPA) for an amount not to exceed \$157,242.58.                            | PROCUREMENT 15-184,<br>CAB AND CHASSIS, DUMP<br>BODY WITH PLOW            |
| <b>I9</b>  | <u>Ordinance No. 15-032, Empire Signage, PZC 14-1-155</u><br>Council moved to pass Ordinance No. 15-032, approving variances from the municipal code in order to install projecting signage larger than five square feet and bare bulb illuminated signage at 48 W. Chicago Avenue for Empire by Ballydoyle, PZC 14-1-155.                                | ORDINANCE NO. 15-032,<br>EMPIRE SIGNAGE, PZC 14-<br>1-155                 |
| <b>I10</b> | <u>Ordinance No. 15-033, Old Kent Plaza, PZC 15-1-007</u><br>Council moved to pass Ordinance No. 15-033, approving the preliminary/final plat of subdivision for Old Kent Plaza second resubdivision at the subject property located at 1288-1292 Rickert Drive, PZC 15-1-007.  | ORDINANCE NO. 15-033,<br>OLD KENT PLAZA, PZC 15-<br>1-007                 |
| <b>I11</b> | <u>Resolution No. 15-009, Settlement Agreement, Case No. 2011 L 722</u><br>Council moved to adopt Resolution No. 15-009, approving the settlement agreement between Giovanni Melgar and the City of Naperville.   | RESOLUTION NO. 15-009,<br>SETTLEMENT<br>AGREEMENT, CASE NO.<br>2011 L 722 |

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- I12**      Ordinance No. 15-034, 2015 360 Youth Services Spring Ahead 5K and 10K Run      ORDINANCE NO. 15-034,  
2015 360 YOUTH SERVICES SPRING AHEAD 5K AND 10K RUN
- Council moved to pass Ordinance No. 15-034, to establish temporary street closures for the 2015 360 Youth Services Spring Ahead 5K and 10K Run on May 3, 2015 and approve an amplifier permit and Special Event Permit for the event.
- J**      **OLD BUSINESS:**
- K**      **AWARD OF BIDS AND OTHER ITEMS OF EXPENDITURE:**
- L**      **REPORTS AND RECOMMENDATIONS:**
- L1**      City Council Meeting Schedule      CITY COUNCIL MEETING SCHEDULE
- Chirico moved to approve the City Council Meeting Schedule for March, April and May 2015. Second, Wentz.
- VOICE VOTE:**      Motion declared carried.
- L2**      Regular City Council Minutes      REGULAR CITY COUNCIL MINUTES
- Chirico moved to approve the Regular City Council Meeting Minutes of February 17, 2015. Second, Wentz.
- VOICE VOTE:**      Motion declared carried.
- Abstain:**      Fieseler
- M**      **PUBLIC HEARINGS:**
- N**      **ORDINANCES AND RESOLUTION:**
- N1**      E-Cigarette Regulations      E-CIGARETTE REGULATIONS
- DiSanto explained that the text amendment is necessary to be able to cite a violation of the local ordinance and to be heard in county court, he said the FDA has not yet passed regulations regarding e-cigarette labeling, and that the Illinois General Assembly is considering expanding the Smoke Free Act to include e-cigarettes.
- Council discussed the appropriateness of regulation, the timeliness of an ordinance, substances contained in e-cigarettes, and encouraged staff to contact school districts regarding regulation.
- First reading held.
- N2**      Riverwalk Eatery      RIVERWALK EATERY
- Council discussed serving liquor outside of the downtown area, the similarity between the Riverwalk Eatery and food carts, and whether there would be competition with the downtown establishments. Council also discussed enhancing current amenities, that liquor service would be similar to Naper Settlement, and asked for a diagram of the proposal.
- First reading held.

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- N3**      Liquor Code Regulations related to Public Officials      LIQUOR CODE  
REGULATIONS RELATED  
TO PUBLIC OFFICIALS
- Jim Bergeron – Naperville, spoke in favor of the proposed changes.
- Council discussed modernizing the language, the appropriateness of tabling the item until after the Mayor and Council election, conflict of interest and the number of times a recusal could occur, and that this technicality should have been addressed during the past decade.
- DiSanto reviewed the six statements that are proposed to be removed/ restated due to vagueness.
- First reading held.
- O**      **NEW BUSINESS**
- O1**      Stormwater
- Krause discussed the Green Building Incentive Program.
- By a majority, Council directed staff to research the program’s applicability to the City of Naperville.
- O2**      Signal Monitoring
- Hinterlong asked about notification of signal outages and if the process could be improved.
- Novack explained that outages are addressed when they are reported and that other options will be communicated to Council in a future Manager’s Memorandum.
- P**      **CLOSED SESSION:**
- Q**      **ADJOURNMENT:**      ADJOURNMENT
- Fieseler moved to adjourn the Regular City Council meeting of March 3, 2015 at 8:49 p.m. Second, Chirico.
- VOICE VOTE:**      Motion declared carried.

The Regular City Council Meeting of March 3, 2015 officially adjourned at 8:49 p.m.

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PAM LA FEBER  
CITY CLERK

PL:bk